

E-filing

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18 Attorneys for Plaintiff KPI Bridge Oil  
19 Singapore PTE LTD.

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA

22 KPI BRIDGE OIL SINGAPORE PTE LTD.,

23 Plaintiff,

24 v.

25 BERLIAN LAJU TANKER TBK PT, and  
26 MARINA PARTAWATI SHIPPING PTE LTD, *in*  
27 *personam*,

28 Defendants.

710 WHA  
Case No. CV 12 0715 MEJ

ADMIRALTY  
Fed. R. Civ. Pro. 9(h)

~~(Proposed)~~ ORDER FOR ISSUANCE  
OF WRIT OF ATTACHMENT AND  
GARNISHMENT

29 Upon reviewing the Verified Complaint and being satisfied that the premises for the  
30 attachment of the M/T PARTAWATI, as more particularly described in the Verified Complaint  
31 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the  
32 Federal Rules of Civil Procedure have been met in this case; and this Court having determined that  
33 the conditions for a Writ of Maritime Attachment and Garnishment appear to exist;

34 //

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Clerk of  
2 Court is authorized to issue a Writ of Attachment and Garnishment of the M/T PARTAWATI;

3 IT IS FURTHER ORDERED that the Clerk of the Court shall issue further, supplementary  
4 writs of maritime attachment and garnishment, on request of the Plaintiff and without further Order  
5 of the Court;

6 IT IS FURTHER ORDERED that the United States Marshal is authorized to allow normal  
7 cargo operations, both discharging and loading, repair works, and to shift berths (consistent with the  
8 U.S. Marshal's requirements), always remaining within this judicial district, but at the risk and  
9 expense of the vessel's interests.

10 IT IS FUTHER ORDERED that a copy of this Order be attached to and served with said Writ  
11 of Attachment and Garnishment;

12 IT IS FURTHER ORDERED that the U.S. Marshal is released and held harmless for any and  
13 all costs, fees, liabilities, or other expenses in any way arising out of the attachment of the M/T  
14 PARTAWATI; and

15 IT IS FURTHER ORDERED that charges and expenses incurred by National and the U.S.  
16 Marshal shall be deemed in custodia legis, and will be paid from the proceeds of sale from the vessel  
17 unless otherwise agreed. If a written objection is timely filed, payment of the disputed charges only  
18 shall be made after the objection is resolved by agreement of the parties or by Court Order. Payment  
19 of the undisputed charges shall not be affected.

20 IT IS FURTHER ORDERED that the Vessel may be released from attachment without  
21 further order of this court, if the Marshal receives written authorization from the attorney who  
22 requested the attachment and that such attorney advises that he has conferred with all counsel  
23 representing all of the parties to the litigation and they consent to the release, if the attorney files the  
24 consent, and the Court has not entered an Order to the contrary; and Plaintiff shall hold harmless and  
25 indemnify the United States of America, the United States Marshal, their agents, servants,  
26 employees, from any and all claims arising from the attachment and release of the vessel as is herein  
27 specifically provided.

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1 Witness, the Honorable William Alsup, Judge of the United States District  
2 Court for the Northern District of California this 15 day of February 2012.

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4 United States District Clerk for the  
Northern District of California

5 By: W. Alsup  
6 WILLIAM ALSUP

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